



Oregon State OSHA Heat Illness Prevention

Scope and Possible Exemption

OR-OSHA's Heat Illness Prevention rule requires employers to take safety measures whenever an employee performs work activities when the heat index (apparent temperature) equals or exceeds 80°F. This heat index threshold applies to both indoor and outdoor workplaces. There are some limited exemptions. Indoor workplaces are exempt if HVAC keeps the heat index below 80°F. While the outdoor workspace rules may seem obvious for some of your operations (i.e. in the vineyard) there are outdoor workspaces that may not be so obvious. For example, outdoor tastings and events are also potentially covered by these rules unless an exemption applies. One step you can take is to limit employees to short-term (incidental) heat exposure, which are exempt from the rule. For this exemption to apply, employees must not be required to work for more than 15-minutes in any sixty-minute period.

Requirements Between 80° F and Less than 90° F

WHEN THE HEAT INDEX REACHES 80 °F, EMPLOYERS MUST DO THE FOLLOWING:

- **Provide Shade.** The shaded area should be located close to the work area and needs to be either open on three sides or cooled by mechanical ventilation. If providing shade would interfere with completing necessary work or presents a safety risk (e.g., tent or umbrella in high winds), an employer must use alternative cooling methods, such as cooling vests.
- **Provide Drinking Water.** Employers must provide at least 32 oz. of cool or cold water to employees each hour. Employers can provide electrolyte alternatives, such as Gatorade, but nothing with caffeine.
- **Implement a Written Heat Illness Prevention Plan.** Fortunately, OR-OSHA has a model plan available for employers to use to develop their written plans. The model plan includes call-outs where employers will need to enter certain things specific to their operations (e.g., where water will be located). OR-OSHA chose a poor color for the areas that need to be updated—they're light green—so an employer will need to pay attention when making their changes.
- **Implement a Written Acclimatization Plan.** An employer may either create their own acclimatization plan or adopt the plan developed by NIOSH (National Institute for Occupational Safety and Health) that is supposed to occur within a period of 7 to 14 days per the rule. Employers should also develop a reacclimatization plan for employees who do not perform work in a heat index of 80 °F or higher for 7 days regardless of cause, including a cold spell.
- **Train Employees.** The rule requires annual heat illness prevention training that must be completed before an employee is expected to be exposed to the risk of heat illness. Training records must be maintained. The training must include seven mandatory topics. OR-OSHA's online training satisfies five of the training requirements (risk factors; water consumption; types of illness, signs/symptoms, first aid responses; reporting signs/symptoms; and non-occupational risk factors). The other two training requirements are employer specific:
 - The employer's procedures for complying with the rule, which at a minimum shall include the employer's responsibility to provide water, heat index information, shade, preventive rest breaks, access to first aid, and that an employee can exercise their rights under the rule without fear of retaliation; and
 - The specifics about the employer's acclimatization plan, including the importance of the plan and how it will be implemented.

REQUIREMENTS WHEN TEMPERATURES REACH OR EXCEED 90 °F (“HIGH HEAT PRACTICES”):

Employers are required to implement additional measures during High Heat temperatures. Although every employer is required to implement these measures, most of them are aimed at traditional outdoor work activities and may seem out of tune with the client’s limited outdoor service.

- **Rest Schedule.** Employers must have a written rest break schedule for High Heat temperatures. The minimum rest schedule must consist of at least: (1) a 10-minute break every 2-hours for heat indexes of 90 °F and less than 100 °F; and (2) a 15-minute break every hour for heat indexes of 100 °F or greater. Employers may adopt a schedule with breaks occurring more frequently, such as those included in the model rest schedule. The rule also indicates that rest periods are compensable unless they coincide with other meal or break periods.
- **Steps to Identify Heat-Related Illnesses.** Employers are required to implement steps to identify potential heat-related illnesses, including regular communications with employees, establishing a buddy system, or developing some other procedure that makes sense based on the employer’s operations.
- **Designating a Person to Call EMS.** Employers need to designate at least one person and provide them the means to call for emergency medical services.
- **Monitor the Heat Index.** Employers need to monitor the heat index at the affected workplace and implement appropriate actions as necessary.